

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

<b>GARY E. MANUEL,</b>	)	
	)	
<b>PETITIONER</b>	)	
	)	
<b>v.</b>	)	<b>No. 1:11-cv-222-DBH</b>
	)	
<b>STATE OF MAINE,</b>	)	
	)	
<b>RESPONDENT</b>	)	

**ORDER AFFIRMING RECOMMENDED DECISION  
OF THE MAGISTRATE JUDGE**

On June 1, 2011, the United States Magistrate Judge filed with the court, with copies to the parties, her Recommended Decision on the petition for writ of habeas corpus. The time within which to file objections expired on June 20, 2011, and no objections have been filed. The Magistrate Judge notified the parties that failure to object would waive their right to *de novo* review and appeal.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**. It plainly appears from the petition and the attached exhibits that the petitioner is not entitled to relief in the district court at this juncture and, therefore, the petition is **DISMISSED WITHOUT PREJUDICE** to the petitioner's right to file a fully exhausted, timely petition in this court.

**So ORDERED.**

**DATED THIS 22<sup>ND</sup> DAY OF JUNE, 2011**

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/s/D. BROCK HORNBY  
**D. BROCK HORNBY**  
**UNITED STATES DISTRICT JUDGE**